



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Dennis Kennedy, Mayor	Dennis Kennedy, Chair
Steve Tate, Mayor Pro Tempore	Steve Tate, Vice-Chair
Larry Carr, Council Member	Larry Carr, Agency Member
Mark Grzan, Council Member	Mark Grzan, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

WEDNESDAY, FEBRUARY 16, 2005

AGENDA

JOINT MEETING

CITY COUNCIL SPECIAL AND REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

and

FINANCING AUTHORITY COMMISSION MEETING

6:00 P.M.

***A Special Meeting of the City Council, Redevelopment Agency
and Financing Commission is Called at 6:00 P.M. for the
Purpose of Conducting Closed Sessions.***

Dennis Kennedy, Mayor/Chairman/President

CALL TO ORDER

(Mayor/Chairperson/President Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary/Commission Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary/Commission Secretary Torrez)

6:00 P.M.

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Authority: Government Code Sections 54956.9(b) & (c)
Number of Potential Cases: 4

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

Authority: Pursuant to Government Code 54956.9(a)
Case Name: City of Morgan Hill v. Howard Vierra
Case Number: Santa Clara County Superior Court, Case No. 1-04-CV-026723

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

7:00 P.M.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

Community Development Director
Kathleen Molloy Previsich

CITY COUNCIL REPORT

Council Member Grzan

CITY COUNCIL SUB-COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL/REDEVELOPMENT AGENCY.

City Council Action

CONSENT CALENDAR:

ITEMS 1-8 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

1. **FISCAL YEAR 2005-2006 OPERATING AND CAPITAL IMPROVEMENT BUDGET SCHEDULE** 1
Recommended Action(s): Approve the Recommended Fiscal Year 2005-2006 Budget Schedule.
2. **APPROVAL OF AMENDED SAN PEDRO PONDS JOINT USE AGREEMENT**..... 3
Recommended Action(s): Approve the Amended Joint Use Agreement with the Santa Clara Valley Water District.
3. **AWARD OF TRAFFIC SIGNAL INSTALLATION AT TENNANT AND HIGHWAY 101 SOUTHBOUND RAMPS** 11
Recommended Action(s):
 1. Appropriate \$180,000 from the Current Year Un-Appropriated Traffic Impact Fund Balance (309) into the Project Account (502K03);
 2. Award Contract to Granite Rock Company-Pavex Construction Division for the Construction of the Traffic Signal Installation at Tennant/Highway 101 Southbound Ramps Project in the Amount of \$428,309; Subject to Review and Approval by City Attorney; and
 3. Authorize Expenditure of Construction Contingency Funds, Not to Exceed \$42,831.
4. **RESCHEDULING OF APRIL 2005 GENERAL PLAN AMENDMENT REQUESTS** 17
Recommended Action(s): Direct Staff to Reschedule the April General Plan Review Hearings to July 2005.
5. **SUPPORT OF LOCAL LIBRARIES**..... 19
Recommended Action(s): Adopt Resolution in Support of Local Libraries.
6. **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) 2004 QUARTERLY REPORT #4**..... 23
Recommended Action(s): Accept and File the RDCS Fourth Quarter Report for 2004.
7. **ACCEPTANCE OF DONATIONS FOR THE AQUATICS CENTER FROM MORGAN HILL AQUATIC CENTER, INC.** 39
Recommended Action(s): Accept Donations by the Morgan Hill Aquatics Center, Inc. to the Aquatics Center.

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

8. **IMPACT FEE AGREEMENT** 43
Recommended Action(s):
1. **Authorize** the City Manager to do Everything Necessary and Appropriate to Prepare and Execute an Agreement with the Operator and/or Owner of 15750 Monterey Road to:
a) **Allow** Them to Pay Traffic/Sewer Impact Fees Based on the Maximum Number of Children Permitted at the Site Under Their State License at the Time of Pulling Building Permits for Tenant Improvements; and
b) **Require** Them to Pay Additional Impact Fees if They Increase the Number of Children Permitted Under Their License in the Future.

Redevelopment Agency, City Council, and Financing Authority Action

CONSENT CALENDAR:

ITEM 9

Time Estimate **Page**
Consent Calendar: 1 - 10 Minutes

9. **APPROVE JOINT REGULAR REDEVELOPMENT AGENCY, SPECIAL CITY COUNCIL, AND MORGAN HILL FINANCING AUTHORITY COMMISSION MEETING MINUTES OF JANUARY 26, 2005** 45

City Council Action

OTHER BUSINESS:

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10. **15 Minutes** **REPORT FROM THE CITY COUNCIL'S APPOINTED 2006-CENTENNIAL STEERING COMMITTEE** 81
Recommended Action(s):
1. **Consider** Report/Recommendations from the 2006-Centennial Steering Committee; and
2. **Appoint** a Two-Member Council Subcommittee to Assist the 2006-Centennial Committee, If Deemed Appropriate.
11. **15 Minutes** **DEPOT STREET UTILITY UNDERGROUNDING** 87
Recommended Action(s): **Direct** Staff to Proceed with Undergrounding Existing Overhead Utilities along Depot Street from Main Avenue to East Dunne Avenue.
12. **10 Minutes** **MONTEREY UNDERGROUND UTILITIES PROJECT** 89
Recommended Action(s): **Direct** Staff to Proceed with a Public Information Meeting and Report Back to Council.

City Council and Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
13.	20 Minutes	<u>INVESTMENTS IN CAPITAL EXPENDITURES WITH POTENTIAL RETURN ON INVESTMENT</u>	95
		<u>Recommended Action(s):</u>	
		1. <u>Appropriate</u> \$600,000 of RDA Funds for Projects at the Aquatics Center Identified as "Category A" in the Staff Report; and	
		2. <u>Provide</u> Policy Direction for Preparation of Fiscal Year 2007 Budget.	
14.	15 Minutes	<u>CONSIDER CHANGE IN CITY COUNCIL-REDEVELOPMENT AGENCY MEETING TIME/STREAMLINING MEETINGS</u>	113
		<u>Recommended Action(s):</u>	
		1. <u>Discussion/Direction</u> on the Council/RDA Meeting Start Time;	
		2. <u>Discussion/Direction</u> Regarding the Order of the Agenda;	
		3. <u>Direct</u> Staff to Return with Ordinance Amendment, if Deemed Appropriate;	
		4. <u>Amend</u> City Council Policies, As Deemed Appropriate; and/or	
		5. <u>Amend</u> RDA Bylaws, as Deemed Appropriate.	
15.	5 Minutes	<u>CITY COUNCIL/REDEVELOPMENT AGENCY UPCOMING AND SUMMER MEETING SCHEDULE</u>	135
		<u>Recommended Action(s):</u> <u>Discussion</u> and <u>Direction</u> Regarding Upcoming and Summer Meeting Schedule.	

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT